

EX PARTE OR LATE FILED

BOSTON
CHICAGO
FRANKFURT
HAMBURG
HONG KONG
LONDON
LOS ANGELES
MOSCOW
NEW JERSEY

Latham & Watkins

ATTORNEYS AT LAW
WWW.LW.COM

NEW YORK
NORTHERN VIRGINIA
ORANGE COUNTY
SAN DIEGO
SAN FRANCISCO
SILICON VALLEY
SINGAPORE
TOKYO
WASHINGTON, D.C.

ORIGINAL

May 31, 2001

RECEIVED

MAY 31 2001

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

VIA FACSIMILE

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
The Portals
445 Twelfth Street, S.W.
Washington, D.C. 20554

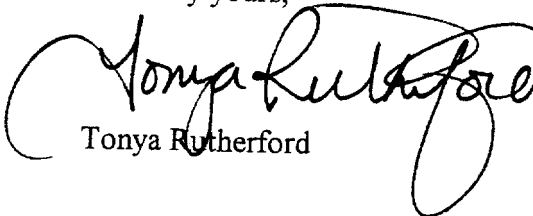
Re: Notice of Ex Parte Presentation, ET Docket 98-153 ✓

Dear Ms. Salas:

Enclosed is an *ex parte* submission. Attached is an original and one copy of the *ex parte*. Please stamp and return the copy.

In the event there are any questions concerning this matter, please contact me directly at (202) 637-1023.

Sincerely yours,


Tonya Rutherford

No. of Copies rec'd 0

List A B C D E

BOSTON
CHICAGO
FRANKFURT
HAMBURG
HONG KONG
LONDON
LOS ANGELES
MOSCOW
NEW JERSEY

Latham & Watkins

ATTORNEYS AT LAW
WWW.LW.COM

NEW YORK
NORTHERN VIRGINIA
ORANGE COUNTY
SAN DIEGO
SAN FRANCISCO
SILICON VALLEY
SINGAPORE
TOKYO
WASHINGTON, D.C.

May 31, 2001

RECEIVED

MAY 31 2001

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

VIA MESSENGER

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
The Portals
445 Twelfth Street, S.W.
Washington, D.C. 20554

Re: Notice of Ex Parte Presentation, ET Docket 98-153

Dear Ms. Salas:

Pursuant to Section 1.1206(b) of the Commission's rules we hereby submit this notice of an *ex parte* presentation.

On May 30, 2001, the group of individuals listed in the table below met with Chairman Powell, Senior Legal Advisor to the Chairman Peter Tenhula, and Jason Goldman. We discussed matters raised in the joint *ex parte* letter to Chairman Powell filed on May 18, 2001, in the above-referenced docket and signed by 30 parties. In particular, we noted that, while ultra-wide band (UWB) devices provide promising and valuable services, such as safety-of-life, various tests have shown that these devices may cause significant harmful interference with authorized spectrum users, and, therefore, the Commission should proceed cautiously. We recommended that the Commission identify specific categories of UWB devices and establish proposed rules for licensing these categories. We also stressed the importance of giving industry members an opportunity to comment on the Commission's proposed rules and regulatory framework before the Commission prior to their adoption.

| Person | Affiliation |
|----------------|----------------|
| Kris Hutchison | ARINC |
| Chris Imlay | ARRL |
| David Wye | AT&T Wireless |
| Bill Sears | ATA |
| Dan Hickey | ATA |
| Brian Fontes | Cingular |
| U.W. Tony King | Delta Airlines |

555 ELEVENTH STREET, N.W., SUITE 1000 • WASHINGTON, D.C. 20004-1304
TELEPHONE: (202) 637-2200 • FAX: (202) 637-2201

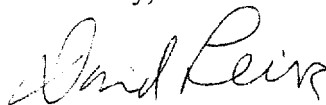
Federal Communications Commission
May 31, 2001
Page 2

| Person | Affiliation |
|------------------|---------------------------------|
| Gerald Helman | Ellipso |
| Tom Lindstrom | Ericsson Inc |
| Andrew Broom | GAMA |
| Andrew Etkind | Garmin International |
| Tonya Rutherford | Latham & Watkins |
| David Leive | Latham & Watkins for Sirius |
| Nick Allard | Latham & Watkins for Sirius |
| Tom Loranger | Laxalt Group/Sirius |
| Jennifer Warren | Lockheed Martin Corporation |
| Raul Rodriguez | LS&L for USGPS Industry Council |
| Cecily Cohen | Nokia |
| Ray Strassburger | Nortel Network |
| Dean Brenner | Qualcomm |
| Joe Cramer | Rockwell Collins |
| Dave Konczal | Shaw Pittman for XM Radio |
| Patrick Donnelly | Sirius Satellite Radio |
| Rob Briskman | Sirius Satellite Radio |
| Richard Barnett | Telecom Strategies for Sirius |
| Ann Ciganer | Trimble USGPIC |
| Charles Trimble | USGPC IC |
| Phil Barsky | XM Satellite Radio |

We plan to elaborate on these views in an additional ex parte letter to be filed in due course.

In the event there are any questions concerning this notification, please feel free to contact me. Copies of this Notice of Ex Parte Presentation have been provided to the individuals identified below. An original and one copy of this letter are submitted for inclusion in the record of the above-referenced proceeding.

Sincerely,



David Leive
of LATHAM & WATKINS

cc: Chairman Powell
Peter Tenhula
Jason Goldman